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**UNITED STATES BANKRUPTCY COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

**In re:**

**PG&E CORPORATION,**

**- and -**

**PACIFIC GAS AND ELECTRIC  
COMPANY,**

**Debtors.**

- ☐ Affects PG&E Corporation  
☐ Affects Pacific Gas and Electric  
Company  
☒ Affects both Debtors

*\* All papers shall be filed in the Lead Case,  
No. 19-30088 (DM).*

Bankruptcy Case No. 19 -30088 (DM)

Chapter 11

(Lead Case) (Jointly Administered)

**DECLARATION OF TYSON R. SMITH IN  
SUPPORT OF MOTION TO FILE  
REDACTED VERSION OF REORGANIZED  
DEBTORS' REPLY IN SUPPORT OF IPSO  
FACTO OBJECTION TO CONSOLIDATED  
EDISON DEVELOPMENT, INC.'S  
AMENDED CURE PAYMENT CLAIM  
DEMAND**

[No Hearing Requested]

1 I, Tyson R. Smith, pursuant to section 1746 of title 28 of the United States Code, hereby declare  
2 under penalty of perjury that the following is true and correct to the best of my knowledge, information,  
3 and belief:

4 1. I am employed as Managing Counsel, Strategy & Policy in the law department of Pacific  
5 Gas and Electric Company (the “**Utility**” and, together with P&E Corporation, the “**Reorganized**  
6 **Debtors**”). I joined the Law Department in 2018 and have been licensed to practice in the State of  
7 California since 2003. Prior to joining the Utility, I was a partner at Winston & Strawn LLP from 2011  
8 to 2018 and associate from 2005 to 2011. From 2003 to 2005, I was an attorney in the Office of the  
9 General Counsel, U.S. Nuclear Regulatory Commission. I hold a Bachelor’s degree from Vanderbilt  
10 University in civil and environmental engineering, a Master’s degree from Stanford University in civil  
11 and environmental engineering, and a Juris Doctorate from Lewis and Clark Law School.

12 2. This Declaration is submitted in support of the *Motion to File Redacted Version of*  
13 *Reorganized Debtors’ Reply in Support of Ipso Facto Objection to Consolidated Edison Development,*  
14 *Inc.’s Amended Cure Payment Claim Demand* (the “**Redaction Motion**”) filed concurrently herewith,  
15 which seeks authority to redact certain confidential commercial information filed in connection with the  
16 *Reorganized Debtors’ Reply in Support of Ipso Facto Objection to Consolidated Edison Development,*  
17 *Inc.’s Amended Cure Payment Claim Demand* (the “**Reply**”), which is filed concurrently herewith in  
18 further support of the *Reorganized Debtors’ Objection to Consolidated Edison, Inc.’s Amended Cure*  
19 *Payment Claim Demand*, filed on May 3, 2021 [Docket No. 10613] (the “**Objection**”) and the  
20 *Memorandum of Law in Support of Reorganized Debtors’ Objection to Consolidated Edison*  
21 *Development, Inc.’s Amended Cure Payment Claim Demand* [Docket No. 10827] (the “**Opening**  
22 **Brief**”).<sup>1</sup> I am generally knowledgeable and familiar with the Reorganized Debtors’ day-to-day  
23 operations, including the CED Agreements. I am authorized to submit this Declaration on behalf of the  
24 Reorganized Debtors. The facts set forth in this Declaration are based upon my personal knowledge, my  
25 review of relevant documents, and information provided to me by the Reorganized Debtors’ other  
26  
27

28 <sup>1</sup> Capitalized terms used but not otherwise herein defined shall have the meanings ascribed to such terms  
in the Redaction Motion, the Objection, the Opening Brief, or the Reply, as applicable.

1 employees or the Debtors' legal, restructuring, and financial advisors. If called upon to testify, I would  
2 testify to the facts set forth in this Declaration.

3 3. Because portions of the Reply refer to certain confidential provisions from or related to  
4 the Confidential Documents and the Demands, as well as other confidential and sensitive information  
5 related to Con Ed's financing agreements with its lenders, the Reorganized Debtors believe that the  
6 Reply should not be publicly disclosed.

7 4. The Confidential Documents are the product of arm's length, extensive and good faith  
8 negotiations, and due to the commercially sensitive nature of the pricing and economic terms included  
9 in each, the public disclosure of the Documents, even through the references to them in the Reply, would  
10 likely cause substantial harm to the Reorganized Debtors and Con Ed and create an unfair advantage for  
11 competitors. Accordingly, the Reorganized Debtors seek to keep the redacted portions of the Reply  
12 confidential.

13 5. In the event that the Court requests further briefing in connection with the Demands, the  
14 Objection, the Opening Brief, or the Reply, and such briefing includes necessary references to the  
15 Confidential Documents, such references would need to be redacted as well. Allowing any such  
16 documents or memoranda subsequently filed by the Reorganized Debtors to be treated in the same  
17 fashion as the Reply without further order of the Court will promote judicial efficiency by obviating the  
18 need for future redaction motions concerning material that the Court has previously recognized to be  
19 confidential.

20 6. Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing is  
21 true and correct.

22 Dated: July 30, 2021

23 Respectfully submitted,

24 By: /s/ Tyson R. Smith  
25 Tyson R. Smith